



January 3, 2015 - 13:22

Yes, the BPCA = Cuomo and exists solely to dole out gifts to Cuomo donors and friends. My view of the scenario: Farkus has already been given the marina, deal negotiated months if not a year ago. After being handed our public parkland on a silver platter, Farkas will then proceed to buy Brookfield property as it is up for sale. Then Farkas owns that entire chunk of BPC land and the community can kiss it goodbye as it is further developed.

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McNulty

January 6, 2015 - 12:51

BPCA " no to community , yes to massive fundraisers "

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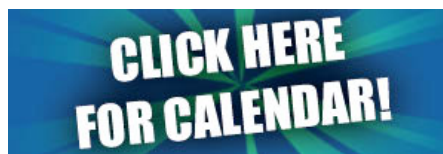


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Friday, April 07, 2017

## Authority picks Brookfield to run Battery Park City marina, but questions remain unanswered

January 22, 2015 | Filed under: News | Posted by: Josh Rogers



Dennis Mehiel, chairperson and C.E.O. of the Battery Park City Authority, at the Thurs., Jan. 22 meeting. Downtown Express photo by Dusica Sue Malesevic

**BY DUSICA SUE MALESEVIC** | The speculation is over: Michael Fortenbaugh is officially out of North Cove Marina as the Battery Park City Authority named Brookfield Office Properties and its partner Island Global Yachting the marina's operator at their Thurs., Jan. 22 morning meeting.

Brookfield Properties will pay \$4.5 million in license payments over ten years, as well as an up-front capital improvement offer of \$450,000 for the marina: lighting, new signage and landscaping, said Shari Hyman, president and C.O.O. of the authority.

Fortenbaugh's North Cove Marina Management was paying the authority \$300,000 a year and offered \$400,000 during this bidding process.

The meeting took place at 200 Liberty St., once the World Financial Center and now Brookfield Place. Supporters of Fortenbaugh, who has run the marina for the past ten years, lined up downstairs to attend the meeting. The room adjacent to the boardroom was packed and many carried signs that said "Stop Albany Pay-to-Play."

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Fortenbaugh said that initially the authority was only going to allow 24 people into the meeting, but then relented.

Dennis Mehiel, the chairperson and C.E.O. of the authority explained its position before a vote was taken on the request for proposals, or R.F.P., for the marina operator.

Community Board 1 had passed a resolution in December asking that the B.P.C.A. to withdraw the current R.F.P. process and asked for more community input. Elected officials then wrote a Dec. 29 letter to the authority supporting C.B. 1's unanimously passed resolution.

Mehiel said that the authority was "pleased" and "overwhelmed a little bit at the tremendous interest" that the community has shown in the meeting.

"In two and half years or a little more that I've been here, I've never seen such a crowd," he said.

He stressed that the authority has protocols that are not subject to discretion and that the very specific guidelines and protocols are mandated by the state law.

Mehiel said that the authority "satisfied" itself that it had made the right decision on the successful bidder in the extra time that it had after the unplanned delay at its December meeting — the board did not have a quorum for the vote because Mehiel did not attend and member Martha Gallo recused herself.

"We took that time, went back, spent a little bit more time with the successful bidder, clarified our expectations and their commitments," he said, "and decided again that we are doing the right thing for Battery Park City residents, for the marina, for the community at large and, of no small significance, for the taxpayers.

"This board and this authority has a fiduciary responsibility to the tax players of the state of New York. They own us. And that includes the residents of Battery Park City ... We take that seriously."

Mehiel said that when the R.F.P. was issued, the current operator, Fortenbaugh was invited to bid. He did not refer to Fortenbaugh by name, calling him the "incumbent."

"We got the bids in. We looked at it, we saw the deficiencies," said Mehiel. "We do value incumbency, we do not ignore incumbency so we decided to invite all the bidders in for additional meetings."

Mehiel did not offer details of the bid's "deficiencies."

"The dialogue with the incumbent operator did not improve the standing in a relatively competitive process," he said. "However it came about, the incumbent discerned, concluded, yes, that he might not be [the] successful bidder."

The authority has received letters and phone calls from the community, the community board and elected officials, he said.

"It's all their right to do that," said Mehiel. "But when you think about it, what it really amounts to is an individual bidder in a R.F.P. process who believes he is unsuccessful and decides to mount political pressure on the authority to subvert our process and preserve his economic interests in the operation of the marina."

The crowd in the back started booing after Mehiel said that.

"When we don't respond with a change in our process or protocol, we are accused of running a process subject to political manipulation by the governor of the state of New York," said Mehiel. "We start with political pressure to change the outcome. If it's not successful we accuse the authority of having political pressure to have made the decision that we are going to vote on this morning."

He also answered questions about the fact that his yacht has sometimes docked at Brookfield's partner, Island Global Yachting marinas. Andrew Farkas is the chairperson of IGY and was one of the largest contributors to Governor Andrew Cuomo's campaign.

"I own a yacht," he said. "Guilty. Guilty as charged."

He said that the boat lives in the Caribbean and the "suggestion is put forward that businesses conducted between my boat and IGY, that is to say Mr. Farkas' company has somehow contaminated this process and I [have] a conflict [of interest] and should recuse myself. Preposterous."

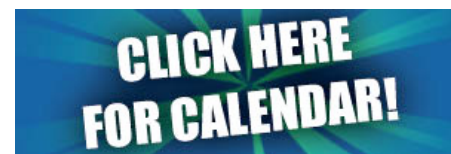
Cries of "yes, yes" were heard from the people in the back. People yelled questions and when Mehiel didn't respond, "answer the question" was shouted.

"We don't have questions, unfortunately," he said. "I apologize for this — with the protocols that we have here there are no public comments and we can't change that precedent unfortunately."

When pressed again, he reiterated that there is no public comment during the meeting. "I don't want to get into a dialogue," he said to many laughs in the room.

Many within the community decried the lack of transparency of this R.F.P. process.

Michael Connolly, a member of the Fortenbaugh's sailing club, said after the meeting that he had never heard about a public hearing and that the fact that Brookfield would take over the marina as



operator was “pretty unfair.”

“It is disappointing that the Battery Park City Authority ignored the resolution from the community to withdraw the R.F.P.,” said Tammy Meltzer, C.B. 1 member, by phone.

Ina Woronoff, whose husband is a member of the club, said, “It’s disgusting that big business takes away pleasure from this community and from people in this city.”

James Sinclair, a sailing club member for 15 years, said that the authority didn’t listen and didn’t want a discussion.

“Mr. Mehiel referred to political pressure, it was community pressure,” said Sinclair.

Manhattan Borough President Gale Brewer attended the meeting and told Downtown Express that moving forward, “We’ll see what we can do.”

Meltzer said, “A greater conversation needs to be had” about the authority’s relationship with the community.

“At the end of the day, it is a state agency that runs a local community,” said Meltzer, who said she couldn’t think of another area in the city that the state controls without any major community input.

Brewer, along with Congressman Jerrold Nadler, State Senator Daniel Squadron and Councilmember Margaret Chin sent a Jan. 22 letter to Governor Cuomo asking for more local representation, asking him to “take advantage of current vacancies and appoint additional residents to the board as soon as possible.”

They also requested that “moving forward, major authority decision-making, including R.F.P.s incorporate local input.”

“Today the B.P.C.A. failed to provide the Battery Park City community with the representation it deserves,” said Jenifer Rajkumar, a Democratic district leader, in an email. “The B.P.C.A.’s process violated fundamental principles of good government and transparency and revealed an organization out of touch with the community and insensitive to the negative perceptions it has created. We now need to consider whether the Battery Park City Authority should be restructured and reformulated so that it will fairly and properly represent the interests of our community.”

After the meeting, a B.P.C.A press release listed community programming that Brookfield Properties proposed: a wide variety of programs, a sailing school accessible to all income levels, a summer camp programs, water safety classes and a corporate sailing league.

The specifics of these programs have not been revealed.

“We will be working on a comprehensive plan for the marina over the coming months. We are also reaching out to members of the community,” said Melissa Coley, vice president for investor relations and communications for Brookfield Property Group, when asked about details.

She issued this statement via email: “Brookfield’s vision will align with the requirements of the Battery Park City Authority as outlined to all bidders in its R.F.P. Our vision includes a sailing school for the community, summer and learn to sail programs. Our vision is an active, attractive and sustainable hub for the community. We will look to our 25 years of experience at Battery Park City in programming free community programs and events.”

For his part, Mehiel said: “Indeed, it is our opinion ... that these changes that we intend to implement at the marina are going to result in wider, not narrower, community use, access to the marina.”

IGY and Governor Cuomo’s office did not respond by press time.

Fortenbaugh said after the meeting that he was not enriching himself by running the marina and that he worked seven days a week to make it a success.

“To say we’re not good enough now, it is a little hard to hear,” he said.

Fortenbaugh said he has got to keep going and he is moving his operations to Liberty Harbor in New Jersey.

Asked if he has had any discussions with the Howard Hughes Corporation about their proposed marina at the Seaport, he said that IGY is designing it.

“I don’t think we’re going to be invited there,” he said.





Manhattan Borough President Gale Brewer and Michael Fortenbaugh, Downtown Express  
photo by Dusica Sue Malesevic



North Cove Marina last month. Downtown Express file photo by Milo Hess

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## 14 Responses to *Authority picks Brookfield to run Battery Park City marina, but questions remain unanswered*



Anastacia K Stathakis

January 22, 2015 - 18:31

Mehiel first shouldn't even be part of the Battery Park Authority since he resides on the Upper East Side and isn't even part of this community. Second, he's an idiot and lucky for him it's not an elected position because he is probably the most hated man in downtown NYC at the moment. He doesn't care, he's the 1% and he just doesn't care.

Reply



Dolores D'Agostino

January 24, 2015 - 18:46

You are exactly right and I hope that this is a watershed moment for rising political pressure to either drastically change the BPCA from the pay-to-play operation that it is, or to abolish it completely. Mehiel is the prototype of the pay-to-play Cuomo camp follower.

Reply



BPC Artist

January 22, 2015 - 20:28

You DO understand, Ms. Stathakis, that the BPCA is a STATE entity, not a local one, do you not? And do you realize that North Cove Marina is designation STATE parkland? Have you recently moved here from another state or even country and not understand how state and local government here are structured?! Who's the idiot here?

Reply



Dolores D'Agostino

January 24, 2015 - 18:49

Are you suggesting that the state runs by different democratic norms than the city? Your question seems to answer itself. .

Reply



Jeanne Wilcke

January 23, 2015 - 11:00

If I was a lawyer I would have advised BPCA Chair Mehiel to not defend his board's decision on the marina at such length. That he had to defend points to serious problems with the "process".

He pushed blame for community activism by the people on the "victim", Fortenbaugh.

He disclosed that they allowed Brookfield to modify their RFP after the community outpouring. I sat next to another bidder, Suintex Marinas. I asked him if they had been given the opportunity to clarify "expectations and their commitments". They had not, nor had Fortenbaugh. "Protocols" were not subject to change, yet they were changed.

When the community and taxpayers raise a great number of appearances of impropriety and ethical challenges – whether those improprieties or conflicts-of-interest are actual or implied – it is the "protocol" in our democracy to address the process.

And that was the problem. Fortenbaugh is greatly admired for what he has built and his connections to the community. But more than him, this was about the process – for him, the other bidders, and the people the BPCA is mandated to serve.

Brookfield was not qualified to bid because a condition was maritime experience which they do not have. They brought in Island Global Yachting (IGY) to qualify for the bid. Now we hear IGY will also get the South St. Seaport site too, being developed by the Howard Hughes Corporation. Brookfield has a significant investment in Howard Hughes Corp. (thought to be 29-30%). Connect the dots on the corporatization of our public land, particularly our waterfront land.

Mehiel stated that yes, his yacht has been docked more than a few times at IGY's luxury marinas in the Caribbean.

Yes, the owner of IGY is Andrew Farkas, a good friend of Governor Cuomo's (who Cuomo worked for at one time and is one of Cuomo's largest campaign contributors, along with principals of Brookfield and BPCA Chair Mehiel). But that at no time did any of the parties discuss the bid with Cuomo.

Parallel to BPCA awarding the marina bid to Brookfield, on the same day the indictment of a major NY State elected official unfolded with allegations of the quid pro quo of large payments from real estate developers. The allegations indicate that evidence does not necessarily have to be written or in exchanges of emails. It can often be a preponderance of circumstantial evidence.

When drawing this parallel, whether Cuomo and his buddies spoke directly or not on the marina bid, the circumstances of their personal and working relationships and the extremely large campaign donations made by the parties involved bring forth serious ethical and conflict-of-interest concerns.

Only a truly transparent process with community input could have allayed these concerns.

Otherwise this deal and the people involved, including the BPCA, will always be tainted and smell like a rotten fish sitting on the marina dock.

Reply



...

January 23, 2015 - 13:19

**US Attorney Preet Bharara should look into this while he's still investigating NY politicians**

.

Reply



Dolores D'Agostino

January 24, 2015 - 19:01

I hope that Gale Brewer and other political representatives – though at this point I don't trust Daniel Squadron whose letter to constituents focused more on "additional BPC community representatives" on the BPCA Board than on the

illicit award to Brookfield (which I suspect contributes mightily to Squadron's political campaigns) – go forward with challenges to this RFP and the Brookfield (pay-to-play) award. I hope that this is not the end of the story. Mehiel's comments during the meeting were incredibly self-serving. He sounds like a neophyte – rich doesn't make one a genius – in this job.

[Reply](#)

 **MMJames**  
January 25, 2015 - 13:33

"Pay to Play"????  
Sounds like that's BPCA

[Reply](#)

 **Dolores D'Agostino**  
January 25, 2015 - 20:13

Guy Fawkes is much heavier on sarcasm than he is on the "facts". He is making up his own "facts". The RFP process lacked transparency and smelled from the get-go. Mehiel is an amateur at dealing with the public and with communication (that is the gentlest judgment). When local news sources called the BPCA asking questions they were shut down like some fascist authority was in control. All this other verbiage above is concocted by someone with an agenda. Not worth responding further.

[Reply](#)

 ~ ~ ~ ~  
January 26, 2015 - 15:25

**It's fairly obvious that cyberstalkers with vendettas did everything in their power to hurt the Sailing Community**

[Reply](#)

 **DRep**  
January 26, 2015 - 16:50

LOL at ridiculous misuse of the term "cyberstalkers"!

The sailing community (aka members of the Manhattan Yacht Club) was ultimately hurt most by Mr Fortenbaugh's apparent inability to negotiate a partnership or tenancy with anyone else but his own marina management company. All or nothing = hurt sailing sailing community.

No amount of alleged back-handers could have done more to influence this outcome than Mr Fortenbaugh's own self-perceived "ownership" of North Cove Marina.

[Reply](#)

 **bridges**  
April 23, 2015 - 15:52

Must be one of the BPCA coat hangers who received envelopes of cash for your vote ...

Now we find out that North Cove Marina will be closed , thanks to devious and underhanded actions , not to mention the cyber-stalkers and trolls who've been voicing hate towards MYC

[Reply](#)

 **BPCresident**  
January 26, 2015 - 17:47

So true

[Reply](#)

 **lynch**  
January 31, 2015 - 17:12

pathological obsessions run deep ..... for some people ? ? ?

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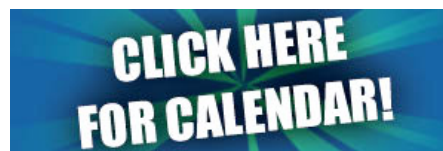


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